



U.S. Department
of Transportation

Pipeline and
Hazardous Materials
Safety Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

MAR 29 2005

DOT-E 9413
(NINTH REVISION)

EXPIRATION DATE: February 28, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: EMD Chemicals Inc.
Cincinnati, OH
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of a chemical kit which contains small amounts of hydrochloric acid (Class 8) and zinc powder (Division 4.3). This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.161 in that the combination packaging is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of EMD Chemicals, Inc. dated February 16, 2005, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):**MAR 29 2005**

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Chemical Kit	8	NA1760	II

7. SAFETY CONTROL MEASURES:

PACKAGING - Prescribed packaging is a glass bottle with plastic screw cap containing not more than 50 milliliters of 32% hydrochloric acid and a plastic bottle with plastic screw cap containing not more than 60 grams of zinc powder. These bottles must be placed in a molded plastic tray in a plastic box. The plastic box must be surrounded with enough absorbent material to completely absorb any liquid in the plastic box. The absorbent wrapped boxes must be placed into a UN4G Specification fiberboard box. A maximum of ten absorbent wrapped boxes may be placed in each UN4G fiberboard box.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

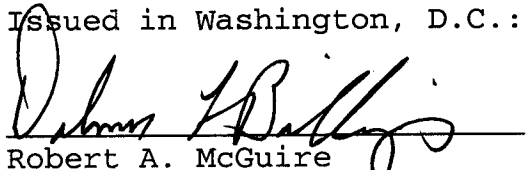
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAR 29 2005

DATE

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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